

"An Act to amend Article 2786 of the Revised Civil Statutes of 1925, by requiring all school district bonds to mature serially; repealing all laws or parts of laws, general or special, in conflict, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 2, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 19, A bill to be entitled "An Act providing for the compensation of certain employes of the State penitentiary system, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 2, A bill to be entitled "An Act providing for the transportation of pupils to and from school, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 2, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 31, A bill to be entitled "An Act to amend Article 2781, Revised Statutes, 1925, relating to term of contract of superintendents, principals, teachers or other executive officers in independent school districts; repealing Article 2782, Revised Statutes, 1925, which exempts the cities of Dallas and Fort Worth; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

## ELEVENTH DAY.

(Monday, May 6, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Marks.
Acker.	Mauritz.
Ackerman.	Maynard.
Adkins.	McGill.
Anderson.	Mehl.
Barnett.	Metcalfe.
Bond.	Montgomery.
Bounds.	Moore.
Bradley.	Mosely.
Brice.	Mullally.
Carpenter.	Negley.
Chastain.	Nicholson.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Navarro.	Patterson.
Cox of Limestone.	Petsch.
Dunlap.	Pool.
Duvall.	Pope of Jones.
Enderby.	Prendergast.
Ewing.	Purl.
Eickenroht.	Quinn.
Forbes.	Reid.
Gates.	Renfro.
Gerron.	Richardson.
Gilbert.	Rountree.
Giles.	Sanders.
Graves	Shaver.
of Williamson.	Shelton.
Hardy.	Sherrill.
Harding.	Shipman.
Harman.	Simmons.
Harper.	Sinks.
Heaton.	Smith.
Hines.	Snelgrove.
Hogg.	Speck.
Hubbard.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dimmit.	Strong.
Johnson of Smith.	Tarwater.
Johnson of Scurry.	Thurmond.
Jones.	Tillotson.
Justiss.	Turner.
Kayton.	Van Zandt.
Keeton.	Veatch.
Kemble.	Wallace.
Kennedy.	Walters.
Kincaid.	Warwick.
King.	Webb.
Kinnear.	White.
Land.	Wiggs.
Lee.	Williams
Lemens.	of Travis.
Long of Wichita.	Woodall.
Loy.	Woodruff.
Mankin.	Young.

## Absent.

Baldwin.	McKean.
Beck.	Minor.
Hefley.	Murphy.
Hopkins.	Pope of Nueces.
Hornaday.	Ray.
Martin.	Waddell.
McCombs.	Westbrook.

## Absent—Excused.

Albritton.	Keller.
Avis.	Kenyon.
Baker.	Long of Houston.
Bateman.	McDonald.
Brooks.	Morse.
Cox of Lamar.	O'Neill.
Davis.	Pavlica.
DeWolfe.	Reader.
Finn.	Rogers.
Finlay.	Savage.
Fuchs.	Thompson.
Graves of Erath.	Williams
Harrison.	of Sabine.
Holder.	Williams of Hardin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. DeWolfe for today and the balance of the week, on motion of Mr. Woodruff.

Mr. Finn for today and next Monday, on motion of Mr. Woodruff.

Mr. Reader for today, on motion of Mr. Quinn.

Mr. Savage and Mr. Albritton for today, on motion of Mr. Webb.

Mr. Morse and Mr. Keller for today, on motion of Mr. Kemble.

Mr. Pope of Nueces for today, on motion of Mr. Harding.

Mr. Fuchs for today, on motion of Mr. Shelton.

Mr. McDonald for today, on motion of Mr. Gerron.

Mr. Kenyon for today and the balance of the week, on motion of Mrs. Moore.

Mr. Holder for today, on motion of Mr. Snelgrove.

Mr. Davis for today, on motion of Mr. Veatch.

Mr. Brooks for today, on motion of Mr. Storey.

Mr. Finlay for today, on motion of Mr. Lee.

Mr. Cox of Lamar for today, on motion of Mr. Coltrin.

Mr. Williams of Sabine for today, on motion of Mr. Ewing.

Mr. Pavlica for today, on motion of Mr. Shipman.

Mr. Graves of Erath for today and the balance of the week, on motion of Mr. Shipman.

Mr. Bateman for today, on motion of Mr. Richardson.

Mr. Rogers for today, on motion of Mr. Jones.

Mr. Harrison for today, on motion of Mr. McGill.

The following member was granted leave of absence on account of illness:

Mr. Williams of Hardin for today and the balance of the week, on motion of Mr. Quinn.

The following members were granted leaves of absence on account of illness in their families:

Mr. O'Neill for today and the balance of the week, on motion of Mr. Hines.

Mr. Baker for today and the balance of the week, on motion of Mr. Harper.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Beck, Mr. Duvall et al.:

H. B. No. 146, A bill to be entitled "An Act providing for a commission to make recommendations to the Legislature of this State regarding the possible concentration and/or relocation of the prison system of Texas, and defining the personnel, powers and duties of said commission, and providing for the publication of the findings and recommendations of said commission, and appropriating the sum of seventy-five thousand dollars for the expense of said commission and for the expenses and compensation of its employes, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Richardson:

H. B. No. 147, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Van Zandt county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Shelton:

H. B. No. 148, A bill to be entitled "An Act providing for the regulation of gins, ginners, ginning; the licensing of ginners; providing for proper packing, wrapping, marking and providing for weighing of seed and lint cotton and cotton seed and keeping a record of same; providing for the collection of license fees to be used by the Commissioner of Agriculture for the enforcement of this act; requiring certain reports; providing penalties for the violation of this act; defining certain terms; repealing certain articles of the statutes and all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Sherrill, Mr. Ackerman and Mr. Brice:

H. B. No. 149, A bill to be entitled "An Act to amend Article 693 of the Code of Criminal Procedure of Texas so as to require the penalty where there has been a conviction in the district court to be assessed by the court."

Referred to Committee on Criminal Jurisprudence.

By Mr. Ackerman:

H. B. No. 150, A bill to be entitled "An Act to require all persons bidding on certain contracts to obtain a permit from the Secretary of State and pay one hundred dollars (\$100.00) for such permit; and to require all persons to whom contracts as provided in this act are awarded to obtain a permit from the Secretary of State to perform such and pay for such permit as provided in this act."

Referred to Committee on State Affairs.

By Mr. Brice and Mr. Stephens:

H. B. No. 151, A bill to be entitled "An Act amending Article 2691a of the Revised Civil Statutes of Texas, 1925, and providing for a rural school supervisor in lieu of teachers' institutes as required under Article 2691, and providing for the payment of the salary of said rural school supervisors in counties having a population of 34,700 to 35,000, according to the Federal census of 1920, and declaring an emergency."

Referred to Committee on Education.

By Mr. Van Zandt:

H. B. No. 152, A bill to be entitled "An Act to provide for the district, county and probate courts to be open at

all times for the transaction of business and for the judges of said courts to fix the time of meeting and length of terms to be held, there being at least two terms of the district court in each county every two months, and that the Supreme Court of Texas shall make such changes in and additions to the statutory rules of practice and procedure as may be necessary to put into effect this act, and that this act take effect on January 1, A. D. 1930, and repealing all laws contrary hereto, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Prendergast and Mr. Hines:

H. B. No. 153, A bill to be entitled "An Act to require the commissioners court to equalize the valuation of all property for purposes of taxation by the county or any town or subdivision as required by Article 8, Section 18, of the Constitution."

Referred to Committee on State Affairs.

BILL ORDERED NOT PRINTED.

On motion of Mr. Thurmond, Senate bill No. 35 was ordered not printed.

BILL RECOMMITTED.

Mr. Purl moved that House bill No. 50 be recommitted to the Committee on Revenue and Taxation.

Mr. Woodall moved the previous question on the pending motion, and the main question was ordered.

Question recurring on the motion to recommit the bill, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—60.

Acker.	Hardy.
Ackerman.	Harding.
Anderson.	Harman.
Barnett.	Heaton.
Bond.	Hogg.
Bradley.	Hubbard.
Chastain.	Johnson
Coltrin.	of Dimmit.
Conway.	Johnson of Scurry.
Cox of Navarro.	Kayton.
Dunlap.	Kemble.
Duvall.	King.
Forbes.	Long of Wichita.
Gates.	Mankin.
Gerron.	Marks.
Gilbert.	Maynard.
Graves	Mehl.
of Williamson.	Metcalf.

Montgomery.	Shipman.
Moore.	Sinks.
Mosely.	Speck.
Mullally.	Stevenson.
Negley.	Storey.
Nicholson.	Turner.
Patterson.	Walters.
Prendergast.	Warwick.
Purl.	Webb.
Reid.	White.
Sanders.	Wiggs.
Shaver.	Woodall.
Sherrill.	

Nays—46.

Adkins.	McGill.
Bounds.	Olsen.
Brice.	Palmer.
Carpenter.	Petsch.
Cox of Limestone.	Pool.
Enderby.	Pope of Jones.
Ewing.	Quinn.
Eickenroht.	Renfro.
Giles.	Richardson.
Harper.	Rountree.
Hines.	Shelton.
Jenkins.	Simmons.
Johnson of Smith.	Smith.
Jones.	Snelgrove.
Keeton.	Strong.
Kennedy.	Tarwater.
Kincaid.	Thurmond.
Kinnear.	Tillotson.
Land.	Van Zandt.
Lee.	Veatch.
Lemens.	Williams of Travis.
Loy.	Woodruff.
Mauritz.	Young.

Absent.

Mr. Speaker.	McKean.
Baldwin.	Minor.
Beck.	Murphy.
Hefley.	Pope of Nueces.
Hopkins.	Ray.
Hornaday.	Stephens.
Justiss.	Waddell.
Martin.	Westbrook.
McCombs.	

Absent—Excused.

Albritton.	Kenyon.
Avis.	Long of Houston.
Baker.	McDonald.
Bateman.	Morse.
Brooks.	O'Neill.
Cox of Lamar.	Pavlica.
Davis.	Reader.
DeWolfe.	Rogers.
Finn.	Savage.
Finlay.	Thompson.
Fuchs.	Wallace.
Graves of Erath.	Williams of Sabine.
Harrison.	Williams
Holder.	of Hardin.
Keller.	

Mr. Purl moved to reconsider the vote by which the bill was recommitted and to table the motion to reconsider.

The motion to table prevailed.

## RELATIVE TO CAPITOL GROUNDS.

Mr. Richardson offered the following resolution:

Whereas, The State of Texas has the best appointed State capitol in the United States; and

Whereas, The Texas State capitol is surrounded by the most beautiful park in the State of Texas; and

Whereas, Every patriotic citizen in Texas is proud of our State capitol and State park; therefore be it

Resolved by the Legislature of the State of Texas, That the Board of Control be, and is hereby, authorized to cause our State capitol park to be so lighted as to light each dark spot in said park.

The resolution was read second time and was lost.

## RELATIVE TO PURCHASING PORTRAIT OF HON. HENDERSON YOAKUM.

Mr. Bradley offered the following resolution:

Whereas, The late Hon. Henderson Yoakum, a scholar and soldier who brought renown to the name of Texas and contributed to the freedom of the people of this State, is an historical character in the annals of the State of Texas; and

Whereas, In his History of Texas he contributed to the preservation of the records of the early history of the State by securing and recording data in part from the Hon. Sam Houston, formerly President of the Republic of Texas and later Governor of the State; and

Whereas, As a Southern gentleman and patriot, he labored for the annexation of Texas to the United States of America, and served his country as duty impelled him in the war between the United States and Mexico; and

Whereas, It has come to the knowledge of the House of Representatives of the Forty-first Legislature that an oil portrait of the Hon. Henderson Yoakum is in existence, available, and of public interest; and

Whereas, It is the duty and proper function of the Legislature of the State of Texas to preserve such paintings and have them placed appropriately in the State capitol; now, therefore, be it

Resolved, That the Board of Control be and hereby is instructed to inquire into the authenticity, value and means of securing the possession and ownership of said portrait; and be it further

Resolved, That the Board of Control, after such inquiry, shall, and hereby is instructed to, report the facts which they shall find in such inquiry to the House of Representatives of the State of Texas.

Signed—Bradley, Shaver, Acker, Gilbert, Kemble, Shelton, Tillotson.

The resolution was read second time and was adopted.

#### TO PROVIDE FOR PICTURE OF EMPLOYEES.

Mr. Gates offered the following resolution:

Whereas, In making pictures of the members of the Forty-first Legislature all of the employees' pictures were left off; and

Whereas, The members of the House of Representatives regret that this has been done; now, therefore, be it

Resolved, That the House of Representatives appropriate the sum of thirty dollars (\$30.00) out of the contingent expense fund of the House for a picture of the employees, to be hung in the Hall of the House of Representatives.

The resolution was read second time.

On motion of Mr. Purl, the resolution was referred to the Committee on State Affairs.

#### HOUSE BILL NO. 14 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act to amend Articles 2741 and 2742 of the Revised Civil Statutes of 1925, relating to the establishment of common school districts, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following (committee) amendment to the bill:

Amend House bill No. 14, Section 1, by striking out all of paragraphs 3 and 4.

The amendment was adopted.

Mr. Woodruff moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no mem-

ber would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Wiggs, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was called, and the following members were present:

Mr. Speaker.	Maynard.
Acker.	McGill.
Ackerman.	Mehl.
Anderson.	Metcalfe.
Barnett.	Montgomery.
Bond.	Moore.
Bounds.	Mosely.
Brice.	Mullally.
Carpenter.	Negley.
Chastain.	Nicholson.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Limestone.	Patterson.
Dunlap.	Petsch.
Enderby.	Pool.
Ewing.	Pope of Jones.
Eickenroht.	Prendergast.
Forbes.	Purl.
Gates.	Quinn.
Gerron.	Reid.
Gilbert.	Renfro.
Giles.	Richardson.
Graves	Rountree.
of Williamson.	Sanders.
Hardy.	Shaver.
Harding.	Shelton.
Harman.	Sherrill.
Harper.	Shipman.
Heaton.	Simmons.
Hines.	Sinks.
Hogg.	Smith.
Hubbard.	Snelgrove.
Jenkins.	Speck.
Johnson.	Stephens.
of Dimmit.	Stevenson.
Johnson of Smith.	Storey.
Johnson of Scurry.	Strong.
Jones.	Tarwater.
Kayton.	Thurmond.
Kemble.	Tillotson.
Kennedy.	Turner.
Kincaid.	Van Zandt.
King.	Veatch.
Kinnear.	Walters.
Land.	Warwick.
Lee.	Webb.
Lemens.	White.
Long of Wichita.	Wiggs.
Loy.	Williams of Travis.
Mankin.	Woodall.
Marks.	Woodruff.
Mauritz.	Young.
	Absent.
Adkins.	Beck.
Baldwin.	Bradley.

Cox of Navarro.	McCombs.
Duvall.	McKean.
Hefley.	Minor.
Hopkins.	Murphy.
Hornaday.	Pope of Nueces.
Justiss.	Ray.
Keeton.	Waddell.
Martin.	Westbrook.

## Absent—Excused.

Albritton.	Kenyon.
Avis.	Long of Houston.
Baker.	McDonald.
Bateman.	Morse.
Brooks.	O'Neill.
Cox of Lamar.	Pavlica.
Davis.	Reader.
DeWolfe.	Rogers.
Finn.	Savage.
Finlay.	Thompson.
Fuchs.	Wallace.
Graves of Erath.	Williams
Harrison.	of Sabine.
Holder.	Williams
Keller.	of Hardin.

A quorum was announced present.

House bill No. 14 was then passed to engrossment by the following vote:

## Yeas—50.

Mr. Speaker.	Loy.
Bounds.	Marks.
Carpenter.	Mauritz.
Chastain.	McGill.
Coltrin.	Mullally.
Conway.	Negley.
Cox of Limestone.	Petsch.
Ewing.	Pope of Jones.
Forbes.	Prendergast.
Gilbert.	Quinn.
Giles.	Sanders.
Graves	Shaver.
of Williamson.	Shelton.
Hardy.	Simmons.
Harding.	Sinks.
Harman.	Smith.
Harper.	Storey.
Hines.	Strong.
Hogg.	Tarwater.
Hubbard.	Thurmond.
Jenkins.	Tillotson.
Johnson of Scurry.	Van Zandt.
Land.	Walters.
Lee.	Woodruff.
Lemens.	Young.
Long of Wichita.	

## Nays—48.

Acker.	Brice.
Ackerman.	Enderby.
Anderson.	Eickenroht.
Barnett.	Gates.
Bond.	Gerron.
Bradley.	Heaton.

Johnson	Pool.
of Dimmit.	Reid.
Johnson of Smith.	Richardson.
Jones.	Rogers.
Kayton.	Rountree.
Kemble.	Sherrill.
Kennedy.	Shipman.
Kincaid.	Snelgrove.
King.	Speck.
Kinnear.	Stephens.
Mankin.	Stevenson.
Mehl.	Turner.
Metcalf.	Veatch.
Moore.	Warwick.
Mosely.	White.
Nicholson.	Wiggs.
Olsen.	Williams
Palmer.	of Travis.
Patterson.	Woodall.

## Present—Not Voting.

Maynard.	Renfro.
Purl.	Webb.

## Absent.

Adkins.	Keeton.
Baldwin.	Martin.
Beck.	McCombs.
Cox of Navarro.	McKean.
Dunlap.	Minor.
Duvall.	Murphy.
Hefley.	Pope of Nueces.
Hopkins.	Ray.
Hornaday.	Waddell.
Justiss.	Westbrook.

## Absent—Excused.

Albritton.	Kenyon.
Avis.	Long of Houston.
Baker.	McDonald.
Bateman.	Montgomery.
Brooks.	Morse.
Cox of Lamar.	O'Neill.
Davis.	Pavlica.
DeWolfe.	Reader.
Finn.	Savage.
Finlay.	Thompson.
Fuchs.	Wallace.
Graves of Erath.	Williams
Harrison.	of Sabine.
Holder.	Williams
Keller.	of Hardin.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 6, 1929.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. C. R. No. 4, Providing for binding  
and supplying of copies of the Legis-

lative Manual for the members of the press.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

# HOUSE BILL NO. 33 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 33, A bill to be entitled "An Act to provide for the establishment of a prison reformatory within the State prison system and as a part thereof; providing for the methods of handling the young, short-term State prisoners, and for certain duties of the State prison system and for certain duties of the Texas Prison Board and prison management in connection therewith, and declaring an emergency."

The bill was read second time.

On motion of Mr. Sinks, the bill was laid on the table subject to call.

# HOUSE BILL NO. 36 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 36, A bill to be entitled "An Act to provide that all citations and notices issued by the county clerk on applications for letters of administration, or on applications for the appointment of a guardian, shall be returnable to the court from which issued on the first Monday after the service is perfected, and said returnable date shall constitute the term of the probate court for action on said applications; providing that the time be fixed for service of citations; amending Article 1961 of the Revised Civil Statutes of 1925 so as to provide that the probate court shall be open at all times for the transaction of probate business; amending Article 1965 so as to provide that the probate minutes shall be approved by the presiding judge every thirty (30) days; repealing Article 1967 of the Revised Civil Statutes for 1925 and all laws in conflict with this act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

# HOUSE BILL NO. 36 ON THIRD READING.

Mr. Carpenter moved that the constitutional rule requiring bills to be read

on three several days be suspended and that House bill No. 36 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	Maynard.
Acker.	McGill.
Ackerman.	Mehl.
Anderson.	Metcalfe.
Barnett.	Montgomery.
Bond.	Moore.
Bounds.	Negley.
Bradley.	Nicholson.
Brice.	Olsen.
Brooks.	Palmer.
Carpenter.	Patterson.
Chastain.	Petsch.
Coltrin.	Pool.
Conway.	Pope of Jones.
Cox of Lamar.	Prendergast.
Dunlap.	Purl.
Duvall.	Quinn.
Enderby.	Reid.
Ewing.	Renfro.
Forbes.	Richardson.
Gates.	Rountree.
Gerron.	Sanders.
Gilbert.	Savage.
Giles.	Shaver.
Graves	Shelton.
of Williamson.	Sherrill.
Harding.	Shipman.
Harman.	Simmons.
Harper.	Smith.
Heaton.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Jenkins.	Stevenson.
Johnson.	Storey.
of Dimmit.	Strong.
Johnson of Smith.	Tarwater.
Johnson of Scurry.	Thurmond.
Jones.	Tillotson.
Kayton.	Turner.
Keeton.	Van Zandt.
Kemble.	Wallace.
Kincaid.	Walters.
King.	Warwick.
Kinnear.	Webb.
Land.	Wiggs.
Lee.	Williams
Lemens.	of Travis.
Long of Wichita.	Woodall.
Marks.	Woodruff.
Mauritz.	Young.

Nays—4.

Hardy.	Kennedy.
Hubbard.	Mullally.

Present—Not Voting.

Sinks.	White.
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## Absent.

Adkins.	Martin.
Baldwin.	McCombs.
Beck.	McKean.
Cox of Navarro.	Minor.
Eickenroht.	Mosely.
Hefley.	Murphy.
Hopkins.	Pope of Nueces.
Hornaday.	Ray.
Justiss.	Veatch.
Loy.	Waddell.
Mankin.	Westbrook.

## Absent—Excused.

Albritton.	Kenyon.
Avis.	Long of Houston.
Baker.	McDonald.
Bateman.	Morse.
Cox of Limestone.	O'Neill.
Davis.	Pavlica.
DeWolfe.	Reader.
Finn.	Rogers.
Finlay.	Thompson.
Fuchs.	Williams
Graves of Erath.	of Sabine.
Harrison.	Williams
Holder.	of Hardin.
Keller.	

The Speaker then laid House bill No. 36 before the House on its third reading and final passage.

The bill was read third time and was passed.

## MESSAGE FROM THE GOVERNOR.

Mr. Pat Daugherty, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,  
Austin, Texas, May 6, 1929.

To the Members of the Forty-first Legislature:

At the request of members of the Legislature, the attached bills are submitted for your consideration. They are:

(1) A bill to validate certain acts of the county school trustees of Jack and Young counties.

(2) A bill defining by metes and bounds Road District No. 3 of Colorado county.

(3) A bill prohibiting the sale of fresh-water fish in Cass, Bowie, Morris and Titus counties.

(4) A local road law for Hopkins county.

(5) A bill authorizing cities and towns having a population of more than twenty-five hundred to acquire sites for airports.

(6) A law authorizing the issuance of interim bonds by water districts.

(7) A bill prohibiting discrimination in the sale of commodities.

(8) A bill prescribing the manner of selection of juries in civil cases in certain counties.

(9) A bill accepting the provisions and benefits of an act of Congress providing for the promotion of vocational rehabilitation.

(10) A bill to correct defects in House bill No. 50, Chapter 270, Acts of the Regular Session of the Fortieth Legislature.

(11) A bill amending Article 1571 of the Code of Criminal Procedure and Article 5172 of the Revised Civil Statutes.

In addition to the above, the following subjects are submitted for your consideration:

(a) The amendment of Chapter 2 of Title 128, dealing with water improvement districts.

(b) The amendment of Title 19, Revised Civil Statutes (blue sky law).

(c) The amendment of Chapter 285, page 624, General Acts of the Forty-first Legislature (regulating aircraft, etc.).

(d) The investigation and disposition of claims now pending against the State of Texas.

Respectfully submitted,  
DAN MOODY,  
Governor.

## RECESS.

On motion of Mr. Anderson, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

## AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Speaker Barron.

## HOUSE BILL NO. 38 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 38, A bill to be entitled "An Act to require the district and county clerks, the clerks of the Courts of Civil Appeals, the Court of Criminal Appeals, the clerk of the Supreme Court and the Secretary of State to make annual reports as to the transactions of the courts of this State."

The bill was read second time.

Mr. Hardy offered the following amendment to the bill:

Amend House bill No. 38, page 2, Section 1, by inserting after the word "pro-



vided" the following: "The clerk shall also certify the number of days the court was engaged in trying cases during the said year."

The amendment was adopted.

Question—Shall the bill pass to engrossment?

Mr. Storey moved a call of the House for the purpose of maintaining a quorum until 3:30 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Storey, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

#### HOUSE BILL NO. 63 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 63, A bill to be entitled "An Act to add to the Revised Civil Statutes of Texas for 1925 a new article to be known as Article 7047a, to provide for an occupation tax on the business or occupation of owning, operating, managing or controlling exchanges which furnish quotations on the stock market on certain commodities, or stocks and bonds; providing said act shall not apply to certain persons, firms, corporations or associations of persons, and declaring an emergency."

The bill was read second time.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 63 by striking out after the word "advance," in line 28, Section 1, the following words "or otherwise provided by law for payment of occupation taxes."

The amendment was adopted.

Question—Shall the bill pass to engrossment?

Mr. Johnson of Dimmit moved to reconsider the vote by which the call of the House was ordered.

The motion to reconsider prevailed.

Question then recurring on the motion for the call of the House, it was lost.

#### BILL RE-REFERRED.

On motion of Mr. Long of Wichita, House bill No. 130 was withdrawn from

the Committee on Agriculture and referred to the Committee on Live Stock and Stock Raising.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Hardy:

H. B. No. 154, A bill to be entitled "An Act to amend Article 6692 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Beck:

H. B. No. 155, A bill to be entitled "An Act to amend Sections 1, 4, 8, 14 and 15 of House bill No. 50 of the Acts of the Regular Session of the Fortieth Legislature, 1927, and adding a new section, Section 11a, thereto, so as to more accurately define the term 'motor bus company' and better define the jurisdiction of the Railroad Commission of Texas in the regulation of motor bus transportation; to provide for the regulation of motor bus terminals; to provide for the licensing of bus drivers, and prescribe fees therefor; regulating the rates and the sale of tickets over bus lines; granting the power to bring suits to procure injunctions for the enforcement of the provisions of said House bill No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature; providing for penalties and punishment for the violations of the provisions of this act, and for the violation of the rules and regulations of the Railroad Commission; providing for additional funds in the way of fees and licenses for the enforcement of said act; requiring the sale of stock in a motor bus company to be approved."

Referred to Committee on Common Carriers.

By Mr. Smith:

H. B. No. 156, A bill to be entitled "An Act to amend Article 7686 of Chapter 2 of Title 128, of the Revised Civil Statutes of Texas, 1925, relating to the employment and duties of engineers for water improvement districts, so as to allow such districts to employ engineers without awaiting the return of the list of assessments of taxable property in such districts, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Smith:

H. B. No. 157. A bill to be entitled "An Act to amend Article 7792 of Chapter 2 of Title 128, of the Revised Civil Statutes of Texas of 1925, relating to the sale of surplus water by irrigation and water improvement districts, so as to authorize said districts to sell surplus water to lands in the same vicinity for the purpose of irrigation, domestic or commercial uses; and to authorize such districts to contract to pump or deliver to lands in the same vicinity of such districts water which such lands may be entitled to appropriate under permit from the Board of Water Engineers of the State, under such terms and conditions, and for such length of time, as may be provided for in such contracts, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Smith:

H. B. No. 158. A bill to be entitled "An Act to amend Article 7649 of Chapter 2 of Title 128 of the Revised Civil Statutes, 1925, relating to the addition of lands to water improvement districts, so as to allow lands not contiguous to such districts to be added thereto, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Tillotson and Mr. Sherrill:

H. B. No. 159. A bill to be entitled "An Act to amend Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925 by adding a new section to said chapter, to be known as Section 84a, authorizing such districts to declare an emergency in certain cases and under certain limitations, and to issue interim bonds in evidence of such emergency loans, and pledge taxes and bonds of the district to secure payment of such emergency loans evidenced by such interim bonds; and to further amend said Chapter 25 by adding to said chapter two other additional sections, to be known as Sections 75a and 75b; Section 75a to provide for the adding to the area of water control and improvement districts which are known as 'municipal districts,' so that the boundaries of such districts shall include the total area of an included city or town embraced in and served by such district, and providing for a hearing on benefits, and providing for exclusion of

lands in an appropriate case; and Section 75b to provide that territory not embraced in a water control and improvement district may be annexed to such a district in the same manner as is provided for the creation of such district; providing that if any part of this act be held unconstitutional, such decision shall not affect the validity of the remaining portion of this act; providing that the provisions of this act shall not repeal any former statute on the subject of water control and improvement districts, but shall be cumulative thereof; enacting provisions incident and necessary to the subject and purpose of the act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Graves of Williamson:

H. B. No. 160. A bill to be entitled "An Act authorizing certain cities and counties to acquire and maintain and operate air ports; limiting the amounts of land which may be acquired or held for such purpose; providing for the necessary funds for such purpose; providing regulations for the operation, maintenance and support of such air ports; enacting all necessary provisions incidental to the general purpose of this act in providing for the acquisition, maintenance and operation of said air ports, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Stephens and Mr. Brice:

H. B. No. 161. A bill to be entitled "An Act creating a more efficient road system for Hopkins county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment, construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Hopkins county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1929, and to levy a tax in payment

thereof; limiting the debt which may be created in the future to the current revenues of said county for road and bridge purposes except in cases of emergency; repealing all previous Hopkins county special road laws, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Tillotson:

H. B. No. 162, A bill to be entitled "An Act creating and defining by metes and bounds road district No. 3 of Colorado county, Texas, under the authority of Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; provided that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Kinnear:

H. B. No. 163, A bill to be entitled "An Act authorizing the commissioners court in any county having a population of not less than 73,100 and not more than 73,300, as shown by the preceding Federal census, to purchase not exceeding two automobiles for the use by said assessor while actually engaged in the discharge of his official duties; and providing for reports of repairs thereon and maintenance, to be made to the county auditor, and limiting the amount to be expended for the purchase of said automobiles; and providing for the marking of said cars, and declaring an emergency."

Referred to Committee on Counties.

By Mrs. Negley, Mr. Hubbard, Mr. Graves and others:

H. B. No. 164, A bill to be entitled "An Act amending Article 5172 of the Revised Civil Statutes of 1925, by making further exceptions of Articles 5168, 5169, 5170, 5171 of the Revised Statutes of 1925, said exceptions being as to superintendents, matrons and nurses employed in orphans' homes and to employes of any State eleemosynary institution, and declaring an emergency."

Referred to Committee on Eleemosynary and Reformatory Institutions.

By Mrs. Negley, Mr. Hubbard, Mr. Graves and others:

H. B. No. 165, A bill to be entitled

"An Act to amend Article 1571 of the Penal Code of the State of Texas, 1925, by making further exceptions to Articles 1569 and 1570 of the Penal Code of the State of Texas, said exceptions being as to superintendents, matrons and nurses employed in orphans' homes and to employes of any State eleemosynary institutions."

Referred to Committee on Eleemosynary and Reformatory Institutions.

By Mr. Marks:

H. B. No. 166, A bill to be entitled "An Act legalizing the acts of the county school trustees of Jack and Young counties, Texas, creating the Bryson rural high school district in Jack and Young counties, Texas, and being composed of the Bryson independent school district, Longhollow common school district No. 40, Mountain Home common school district No. 36, and Finis common school district No. 27; granting to the Bryson rural high school district all the rights and privileges now granted to independent school districts of 250 or more scholastic population; validating all levies of taxes and contracts made in behalf of the Bryson rural high school district; repealing all laws in conflict with the provisions of this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Hines:

H. B. No. 167, A bill to be entitled "An Act amending Chapter 258, page 534, of the Regular Session Acts of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris and Titus counties; providing a penalty therefor, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Gilbert and Mr. Chastain:

H. B. No. 168, A bill to be entitled "An Act fixing the fees and compensation of county attorneys in counties having a population of not less than 37,500 nor more than 100,000 inhabitants, and in which counties there are one or more judicial districts, and which have no district attorney; authorizing the employment of deputies, assistants and stenographers to such county attorneys, and fixing the compensation for same; providing a method for the payment thereof; and providing that such county attorneys may collect fees for

services rendered in corporation courts, specifying such fees, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Petsch:

H. B. No. 169, A bill to be entitled "An Act to authorize the commissioners court in each county having a population of not less than 10,015 and not more than 10,040, as shown by the United States census of 1920, to pay the sheriff of such county for summoning jurors in district or county courts, serving all legal notices, notices to overseers of roads, etc., and declaring an emergency."

Referred to Committee on Counties.

By Mr. Stevenson and others:

H. B. No. 170, A bill to be entitled "An Act providing for the appointment of a State auditor; prescribing the qualifications and duties of said auditor; providing for his necessary assistants and compensation, and declaring an emergency."

Referred to Committee on State Affairs.

#### ADJOURNMENT.

Mr. Johnson of Dimmit moved that the House adjourn until 10 o'clock a. m., Wednesday, May 8.

Mr. Anderson moved that the House adjourn until 11 o'clock a. m., Wednesday, May 8.

Mr. Bond moved that the House adjourn until 9 o'clock a. m., Wednesday, May 8.

The motion of Mr. Bond prevailed and the House, accordingly, at 3:05 o'clock p. m., adjourned until 9 o'clock a. m., Wednesday, May 8.

#### APPENDIX.

##### STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Judicial Districts: House bills Nos. 142 and 46.

Revenue and Taxation: House bills Nos. 50 and 128.

Judiciary: House bills Nos. 137, 32 and 98

##### REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, May 4, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 28, A bill to be entitled "An Act providing for the concentration of the Texas prison system; increasing the duties, powers and functions of the Texas Prison Board; providing for the construction and building of buildings and walls and the location of a new penitentiary; providing for the removal of prisoners; providing for the purchase and sale of land and the sale and manner thereof of property now controlled and used by the prison system; providing for purchase and sale of products by said system and also by the Board of Control for other State institutions and purposes; making an appropriation, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

#### TWELFTH DAY.

(Wednesday, May 8, 1929.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the Speaker announced that there was not a quorum present.

Mr. Woodall moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was again called, and the following members were present:

Mr. Speaker.	Barnett.
Acker.	Bateman.
Ackerman.	Beck.
Adkins.	Bond.
Albritton.	Bounds.
Anderson.	Bradley.
Baker.	Brice.
Baldwin.	Carpenter.